

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

ALLISTAIR MITCHELL, Individually, and as Personal Representative of the Estate of KLAUS JURGEN GLASER, Deceased, Under the Texas Wrongful Death and Survival Statutes Plaintiff vs. WYETH PHARMACEUTICALS, INC., A SUBSIDIARY OF PFIZER, INC., TEVA PHARMACEUTICALS USA, INC., BARR LABORATORIES, INC. Defendants		CIVIL ACTION NO. 1:16-CV-0574-LY
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**DEFENDANT BARR LABORATORIES, INC.'S JOINDER IN
DEFENDANT TEVA PHARMACEUTICALS USA, INC.'S
MOTION TO DISMISS PLAINTIFF'S COMPLAINT
AND MEMORANDUM OF LAW IN SUPPORT**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW, Defendant Barr Laboratories, Inc. ("Barr"), hereby joins and incorporates in its entirety as if set forth herein Defendant Teva Pharmaceuticals USA, Inc.'s Motion to Dismiss Plaintiff's Complaint and Memorandum in Support ("Motion to Dismiss") (Dkt. 32) served and filed on July 14, 2016, and Reply Memorandum in support thereof (Dkt. 43). Plaintiff's purported claims against Barr are preempted by federal law, barred by Texas law, and inadequately pleaded pursuant to federal pleading standards, as established in the Motion to Dismiss and Reply Memorandum in support thereof.

Dated: August 12, 2016.

Respectfully submitted,

STRASBURGER & PRICE, LLP

s/Michael A. Walsh

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**ATTORNEYS FOR DEFENDANT
BARR PHARMACEUTICALS, INC.**

CERTIFICATE OF SERVICE

This is to certify that on August 12, 2016, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Western District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a “notice of Electronic Filing” to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

s/Michael A. Walsh

Michael A. Walsh